



**IN THE UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,  
Plaintiff,

v.

MARIO ISABEL CRUZ-CALIX,  
Defendant.

Case No. 22-MJ-4734

ORDER OF DETENTION

## I.

On December 2, 2022, Defendant made his initial appearance in this district on the criminal complaint filed in the Northern District of California.<sup>1</sup> Deputy Federal Public Defender Adam Olin was appointed to represent Defendant. The government was represented by Assistant United States Attorney Haoxiaohan Cai. Defendant submitted on the recommendation, by Pretrial Services, that Defendant be detained..

☒ On motion of the Government [18 U.S.C. § 3142(f)(1)] in a case allegedly involving a narcotics or controlled substance offense with maximum sentence of ten or more years.

☐ On motion by the Government or on the Court's own motion [18 U.S.C. § 3142(f)(2)] in a case allegedly involving a serious risk that the defendant will flee.

The Court concludes that the Government is entitled to a rebuttable presumption that no condition or combination of conditions will reasonably assure the defendant's appearance as required and the safety of any person or the community [18 U.S.C. § 3142(e)(2)].

## II.

The Court finds that no condition or combination of conditions will reasonably assure: ☒ the appearance of the defendant as required.

☒ the safety of any person or the community.

## III.

The Court has considered: (a) the nature and circumstances of the offense(s) charged, including whether the offense is a crime of violence, a Federal crime of terrorism, or involves a minor victim or a controlled substance, firearm, explosive,

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<sup>1</sup> The Court granted the government's request to unseal the indictment.

1 or destructive device; (b) the weight of evidence against the defendant; (c) the  
2 history and characteristics of the defendant; and (d) the nature and seriousness of  
3 the danger to any person or the community. [18 U.S.C. § 3142(g)] The Court also  
4 considered all the evidence adduced at the hearing including the arguments of  
5 counsel, and the report and recommendation of the U.S. Pretrial Services Agency.

6 IV.

7 The Court bases its conclusions on the following:

8 As to risk of non-appearance:

- 9 ☒ Family ties to, and reported residence in, Honduras  
10 ☒ Citizen of Honduras and no legal status in the United States (history  
11 of removal from the US in 2020)  
12 ☒ Lack of ties to the Central District of California  
13 ☒ Insufficient bail resources

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15 As to danger to the community:

- 16 ☒ Allegations in the criminal complaint  
17 ☒ Admitted use of marijuana and Fentanyl; and  
18 ☒ criminal history includes convictions for drug related offenses  
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V.

IT IS THEREFORE ORDERED that the defendant be detained until trial and be transported to the United States District Court for the Northern District of California further proceedings The Court directed both government counsel and defendant's counsel to follow up with government counsel in the charging district regarding Defendant's transportation to, and arrival in, the charging district for his next appearance.

The defendant will be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant will be afforded reasonable opportunity for private consultation with counsel. On order of a Court of the United States or on request of any attorney for the Government, the person in charge of the corrections facility in which defendant is confined will deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding. [18 U.S.C. § 3142(i)]

Dated: December 2, 2022

/s/

HON. ALKA SAGAR  
UNITED STATES MAGISTRATE JUDGE